



SPOKANE COUNTY  
WATER CONSERVANCY BOARD  
Application for Change/Transfer  
Record of Decision

RECEIVED

For Ecology Use Only

Received: **JAN 30 2013**

DEPARTMENT OF ECOLOGY  
EASTERN REGIONAL OFFICE

Reviewed by: \_\_\_\_\_

Date Reviewed: \_\_\_\_\_

Applicant: Whitworth Water Dist. #2

Application Number SPOK-11-17

This record of decision was made by a majority of the board at an open public meeting of the Spokane County Water Conservancy Board held on January 28, 2013. The undersigned board commissioners certify that they each understand the board is responsible "to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." [WAC 173-153-130(5)] The undersigned therefore, certifies that each commissioner, having reviewed the report of examination, knows and understands the content of the report.

☒ **Approval:** The Spokane County Water Conservancy Board hereby **grants** conditional approval for the water right transfer described and conditioned within the report of examination on January 28, 2013 and submits this record of decision and report of examination to the Department of Ecology for final review.

☐ **Denial:** The (board name) Water Conservancy Board hereby **denies** conditional approval for the water right transfer as described within the report of examination on (date report of exam was signed) and submits this record of decision to the Department of Ecology for final review.

Signed:

Doug Rider, Chair  
Spokane County Water Conservancy Board

Date: 1-28-13

Approve	<input checked="" type="checkbox"/>
Deny	<input type="checkbox"/>
Abstain	<input type="checkbox"/>
Recuse	<input type="checkbox"/>
Other	<input type="checkbox"/>

Craig Schwyn, Secretary  
Spokane County Water Conservancy Board

Date: 1/28/2013

Approve	<input checked="" type="checkbox"/>
Deny	<input type="checkbox"/>
Abstain	<input type="checkbox"/>
Recuse	<input type="checkbox"/>
Other	<input type="checkbox"/>

Stan Schultz, Vice Chair  
Spokane County Water Conservancy Board

Date: 1/28/13

Approve	<input checked="" type="checkbox"/>
Deny	<input type="checkbox"/>
Abstain	<input type="checkbox"/>
Recuse	<input type="checkbox"/>
Other	<input type="checkbox"/>

George Schlender, Board Member  
Spokane County Water Conservancy Board

Date: \_\_\_\_\_

Approve	<input type="checkbox"/>
Deny	<input type="checkbox"/>
Abstain	<input type="checkbox"/>
Recuse	<input type="checkbox"/>
Other	<input type="checkbox"/>

Bryan St. Clair, Board Member  
Spokane County Water Conservancy Board

Date: 1/28/13

Approve	<input checked="" type="checkbox"/>
Deny	<input type="checkbox"/>
Abstain	<input type="checkbox"/>
Recuse	<input type="checkbox"/>
Other	<input type="checkbox"/>

Mailed with all related documents to the Dept of Ecology Eastern Regional Office, and other interested parties on January 29, 2013.

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Spokane County  
WATER CONSERVANCY BOARD  
Application for Change/Transfer  
OF A RIGHT TO THE BENEFICIAL USE OF THE PUBLIC WATERS OF  
THE STATE OF WASHINGTON

Report of Examination

**NOTE TO APPLICANT:** Pursuant to WAC 173-153-130(8), the applicant is not permitted to proceed to act on the proposal until Ecology makes a final decision affirming, in whole or in part, the board's recommendation. It is advised that the applicant not proceed until the appeal period of Ecology's decision is complete.

**NOTE TO AUTHOR:** Read the instructions for completing a water conservancy board report of examination. Use the F11 key to move through the form.

☐

Surface Water

☒

Ground Water

DATE APPLICATION RECEIVED

August 22, 2011

WATER RIGHT DOCUMENT NUMBER (i.e., claim,  
permit, certificate, etc.) G3-23978C

WATER RIGHT PRIORITY DATE

December 13, 1974

BOARD-ASSIGNED CHANGE APPLICATION NUMBER

SPOK-11-17

NAME

Whitworth Water District #2

ADDRESS (STREET)

10828 N. Waikiki

(CITY)

Spokane

(STATE)

WA

(ZIP CODE)

99218

**Changes Proposed:** ☒ Change purpose ☐ Add purpose ☐ Add irrigated acres ☒ Change point of version/withdrawal

☒ Add point of diversion/withdrawal ☒ Change place of use ☐ Other (Temporary, Trust, Interties, etc.)

**SEPA**

The board has reviewed the provisions of the State Environmental Policy Act of 1971, Chapter 43.21C RCW and the SEPA rules, chapter 197-11 WAC and has determined the application is: ☒ Exempt ☐ Not exempt

**BACKGROUND AND DECISION SUMMARY**

**Existing Right (Tentative Determination)**

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
	100	61	Continuous community domestic supply of 30 units and seasonal irrigation of 8 acres				
SOURCE			TRIBUTARY OF (IF SURFACE WATER)				
2 Wells see investigation for exact locations							
AT A POINT LOCATED:							
PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY.
37194.0103	SE	SE	19	27	43	55	Spokane
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED							
Well #2: Lt 1, Blk 1, Plat of North Mountain View Tracts							
Well #1: 1380' south and 70' west from the east ¼ of Section 19; all in the plat of North Mountain View Tracts, E ½ E ½ Section 19, T. 27 N., R. 43 E.W.M.							
PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,		

**Proposed Use**

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
	100	61	Continuous Municipal Supply				
SOURCE			TRIBUTARY OF (IF SURFACE WATER)				
1 Well # 8C 15204 N. Columbus Well Tag # AGC-037							
AT A POINT LOCATED:							
PARCEL NO.	¼	¼	SECTION	TOWNSHIP	RANGE	WRIA	COUNTY.
37325.9078 # 8C	NE	SE	32	27	43	55	Spokane
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED							
The place of use (POU) of this water right is the service area described in the most recent Water System Plan approved by the Washington State Department of Health, so long as the water system is and remains in compliance with the criteria in RCW 90.03.386(2). RCW 90.03.386 may have the effect of revising the place of use of this water right.							
PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,		

Board's Decision on the Application

MAXIMUM CUB FT/ SECOND		MAXIMUM GAL/MINUTE		MAXIMUM ACRE-FT/YR		TYPE OF USE, PERIOD OF USE	
		100		41.75		Continuously Municipal Supply	
SOURCE				TRIBUTARY OF (IF SURFACE WATER)			
One (1) Well							
AT A POINT LOCATED:		¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA
Well #8C		NE	SE	32	27	43	55
COUNTY.							
Spokane							
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD							
The place of use (POU) of this water right is the service area described in the most recent Water System Plan approved by the Washington State Department of Health, so long as the water system is and remains in compliance with the criteria in RCW 90.03.386(2). RCW 90.03.386 may have the effect of revising the place of use of this water right.							
PARCEL NO.		¼	¼	SECTION	TOWNSHIP N.	RANGE,	

DESCRIPTION OF EXISTING POINTS OF WITHDRAWAL

Well 1: Coordinates: 47 49.183N, 117 24.683W 17825 N. Division  
Well 2: Coordinates: 47 49.339N, 117 24.709W 18103 N. Atlantic Parcel # 37194.0107 Well Tag # AHC-775  
Reserved as a Monitoring well

DESCRIPTION OF PROPOSED WORKS

The Plat of North Mountain View Tracts with 30 domestic connections will now be served from Whitworth Water District #2, well # 8C located in the NE1/4SE1/4 of Section 32, T. 27N., R. 43 E.W.M.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:	COMPLETE CHANGE AND PUT WATER TO FULL USE BY THIS DATE:
Begun	Completed	January 1, 2015

REPORT

BACKGROUND [See WAC 173-153-130(6)(a)]

On August 22, 2011The Whitworth Water District # 2 filed an application for change to change the point of withdrawal, change the place of use and change the purpose of use under Groundwater Water Certificate G3-23978C. The application was accepted at an open public meeting on August 22, 2011, and the board assigned application number is SPOK-11-17. The application for change proposes to change the present point's of withdrawal from (2) wells, both being located within the E1/2E1/2 of Section 19, T.27 N., R. 43 E.W.M. to (1) well 8C located within the NE1/4SE1/4 of Sec. 32, T. 27N., R. 43 E.W.M.

Attributes of the water right as currently documented

Name on certificate, Mountain View Water Company, Inc.  
Water right document number: G3-23978C  
As modified by certificate of change number:  
Priority date, first use: December 13, 1974  
Water quantities: Qj: 100 GPM Qa: 61 acre ft./ year  
Source: 2 Well's  
Point of diversion/withdrawal:

Well 1: Lot 1, Block 1, Plat of North Mountain View Tracts.  
Coordinates: 47 49.183N, 117 24.683W 17825 N. Division [converted to deg, min, sec. 47 29 31, 117 14 49]  
Well 2: 1380 feet south and 70 feet west from the E1/4 corner of Sec. 19, T. 27N., R. 43 E.W.M.  
Coordinates: 47 49.339N, 117 24.709W 18103 N. Atlantic [converted to deg, min ,sec. 47 29 20, 117 14 50]

Purpose of use: Community domestic supply of 30 units and irrigation of 8 acres.  
Period of use: Continuously for community domestic supply and seasonal irrigation of 8 acres.  
Place of use: North Mountain View Plat.  
Existing provisions:

*Tentative determination of the water right*

The tentative determination is provided on the front page of this report.

*History of water use*

The Certificate of Water Right states: 39 gallons per minute, 31 acre feet per year, from April 15 to October 15, each year, for the irrigation of 8 acres; 61 gallons per minute, 30 acre feet per year, continuously, for community domestic supply of 30 units.

The quantities are well within the total authorized 61 acre feet per year, for seasonal irrigation and domestic supply from 2 wells.

*Previous changes*

*SEPA*

This application is categorically exempt from the provisions of the State Environmental Policy Act. (SEPA) of 1971, Chapter 43.21C RCW and Chapter 197-11-800 WAC due to the fact the amount of water being withdrawn is less than 2250 gallons per minute.

**COMMENT AND PROTESTS** [See WAC 173-153-130(6)(b)]

Public notice of the application was published in the Deer Park Tribune on October 5 & 12, 2011  
Protest period ended on November 11, 2011

There were no protests received during the 30 day protest period. In addition, no oral and written comments were received at an open public meeting of the board or other means as designated by the board.

**INVESTIGATION** [See WAC 173-153-130(6)(c)]

In 2005 Whitworth Water Dist. #2 made application to Ecology for a change/transfer of Water Certificate # G3-23978C. Due to a back log DOE did not process this change application and DOE then recommended Whitworth Water District #2 make application to the Spokane County Water Conservancy Board. The application on was transferred and accepted by the SCWCB on August 26, 2011

On June 26, 2012 Commissioners Doug Rider and Stan Schultz met with Susan Mc George, the General Manager of the Whitworth Water District #2. And visited these well site's. Photo's of the Well site's are part of this file. Additional information was found in technical reports, research of department records and conversations with the applicant.

Whitworth Water District #2 Purchased the Mountain View In December 2001. The system was connected to the Whitworth Water Dist. #2 system in 2002.

On September 7 2012, Commissioner Rider visited the USDA Farm Service Agency at 8815 E. Mission Ave, where I was able to obtain aerial photo's of this area for the years 2006, 2009, 2011. Tele # 509-924-7350

On September 8, 2012, Commissioner Rider re-visited the area to make a determination of the possible number of turf irrigation acres which may be available to transfer. I also observed 34 residences in the plat. After viewing all the parcels for turf irrigation usage and reviewing the USDA Aerial photographs for the years 2006, 2009 & 2011, I made an estimate that there is approximately 5 acres of lawn grass in the whole area of Mountain View tracts. The irrigation of 5 acres of turf would require 11.75 acre feet per year per the Washington State Irrigation Guide. This would result in the relinquishment of 19.25 acre feet per year from the irrigation portion of the Certificate.

The 2 original well locations are as follows:

Well #1 17825 N. Division Coordinates: 47 49.183N. 117 24.683W This well will be de-commissioned.

Well #2 18103 N. Atlantic Coordinates: 47 49.339N. 117 24.709W This well will be retained as a monitoring well.

*Proposed project plans and specifications*

*To serve municipal water from Whitworth, to serve this small district that has been taken over by Whitworth Water District #2.*

*Other water rights appurtenant to the property (if applicable)*

The Whitworth Water District #2 has several municipal water rights for continuous municipal supply.

*Public Interest (groundwater only)*

The proposed transfer is subject to RCW 90.44.100 and therefore, cannot be detrimental to the public interest, including impacts on any watershed planning activities. There have been no protests or letters of concern regarding the proposed application for change, and no findings through this investigation indicate that there would be any detrimental impact to the public welfare through issuance of the proposed change. The proposed change has already occurred.

*Tentative Determination*

In order to make a water right change decision, the Board must make a tentative determination on the validity and extent of the right. The Board has made the tentative determination as displayed upon the first page of this report. There are several circumstances that can cause the board's tentative determination to differ from the stated extent of the water right within water right documentation. Water right documents attempt to define a maximum limitation to a water right, rather than the actual extent to which a water right has been developed and maintained through historic beneficial use. Additionally, except for a sufficient cause pursuant to RCW 90.14.140, water rights, in whole or in part, not put to a beneficial use for five consecutive years since 1967 may be subject to relinquishment under Chapter 90.14.130 through 90.14.180 RCW. Water rights may additionally be lost through abandonment. The Board's tentative determination was based upon the following findings:

The current water right under Ground Water Certificate G3-23978C is for community domestic supply for 30 homes and irrigation of 8 acres and is subject to relinquishment for non-use under RCW 90.14. Since December 2001, Whitworth Water District #2 took over this small system and continued to serve 30 homes and some irrigation from the proposed point of withdrawal located in the NE1/4SE1/4 of Section 32, T. 27 N., R. 43 E.W.M.

*Geologic, Hydrogeologic, or other scientific investigations (if applicable)*

Well #1 17825 N. Division Coordinates: 47 49.183N. 117 24.683W is a 6 inch well drilled to a depth of 102 ft. The static level was 43 down from the top of well. The pump test yield was 37 g.p.m. with 4 ft. drawdown after 2 hours. This well will be de-commissioned upon completion of this transfer.

Well #2 18103 N. Atlantic Coordinates: 47 49.339N. 117 24.709W is a 8 inch well drilled to a depth of 90 ft. The static level was 66 ft. down from the top of well. The pump test yield was 12 g.p.m. with 16 ft. drawdown after 1 hr. This well will be retained as a monitoring well.

On August 31, 2012 Commissioner Rider met with John Covert, Ecology hydrologist and Herman Spangle of Ecology to request their assistance in determining if the 2 wells involved with this transfer are in the same body of ground water. This was discussed fully and on September 6, 2012, John Covert, advised the 2 wells are in the same body of ground water.

*Other***CONCLUSIONS** [See WAC 173-153-130(6)(d)]*Tentative determination (validity and extent of the right)*

Groundwater certificate G3-23978C is currently exercised through 1 existing municipal well operated by the Whitworth Water District No. 2. The existing purpose of G3-23978C is continuous domestic supply of 30 units and the irrigation of 8 acres. The right is not abandoned and in use. Groundwater Certificate G3-23978C is valid.

*Relinquishment or abandonment concerns*

Groundwater Certificate G3-23978C was issued for community domestic supply for 30 units and seasonal irrigation of 8 acres and therefore subject to relinquishment for non-use. Certificate G3-23978C has continually been serving the 30 homes and Partial irrigation within the North Mountain View Plat.

The certificate states there are 31 acre feet per year for seasonal irrigation. Using the irrigation guide for lawn turf which requires 2.35 acre feet per year and the estimated acres in turf at 5, this would result in the relinquishment of 19.75 acre feet from the certificate.

*Hydraulic analysis*

G3-23978, Mountain View Water Company, two wells located in SE1/4SE1/4 of Section 19, T.27 N., R. 43 E.W.M.

On September 6, 2012, John Covert of Ecology provided his analysis of the wells involved in this transfer. Both wells are completed in unconsolidated sediments. Based on the geology of the area and my knowledge of the hydrogeology of the basin, I believe they are completed in the same body of public ground water as the well to which the beneficially used water will be transferred, the Whitworth Water District Well 8C located in NE1/4 SE1/4 of Section 32, T. 27 N., R. 43 E.W.M.

*Impairment*

There is no impairment issue with this transfer.

*Public Interest*

The proposed transfer is subject to RCW 90.44.100 and therefore, cannot be detrimental to the public interest, including impacts on any watershed planning activities. This change may modify quantities approved and allocated in December of 1974. The Whitworth Water District No. 2 is a municipal water supplier with a current water system plan.

**DECISION** [See WAC 173-153-130(6)(e)]

Ground Water Certificate G3-23978C is valid and approved for the transfer of 100 gallons per minute, 41.75 acre-feet per year to the Whitworth Water District #2 for continuous municipal supply for 30 homes and 11.75 acre feet per year for seasonal irrigation of 5 acres.

The total amount available to transfer is 30 acre feet per year for 30 domestic units.

The amount available to transfer is for irrigation of an estimated 5 acres of turf. The irrigation guide states that 1 acre of turf requires 28.21 inches per year. Dividing this by 12 inches = 2.35 acre feet per year. There for the 5 acres of turf in the plat would require 11.75 acre feet per year.

The total amount available to transfer is 41.75 acre feet per year. 30 acre feet for domestic & 11.75 acre feet for irrigation.

**PROVISIONS** [See WAC 173-153-130(6)(f)]*Conditions and limitations*

An approved measuring device shall be installed and maintained for each of the sources identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Water\_use data shall be recorded weekly and maintained by the property owner for a minimum of five years, and shall be promptly submitted to Ecology upon request.

The rule above describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements".

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

WAC 173-173 describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.

The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used and required.

The water source and/or water transmission facilities are not wholly located upon the land owned by the applicant. Issuance of a permit by this Department for appropriation of the waters in question does not convey a right of access to, or other right to use, land which the applicant does not legally possess. Obtainment of such right is a private matter between applicant and owner of that land.

This authorization to make use of public waters of the State is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise.

The geographic area served by the Whitworth Water District #2 is defined by regulations and management programs administered by other state and local jurisdictions. The place of use defined on this water right shall be that established area.

Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statutes, ordinances, or regulations.

The installation of an access port, described in Ground Water Bulletin #1, shall be required prior to issuance of a final certificate of water right. In addition, an airline and pressure gauge shall be installed and maintained in operating condition. The pressure gauge shall be equipped with a standard tire valve and placed in an accessible location. The airline shall extend from land surface to the top of the pump bowls and the total airline length shall be reported to the Department of Ecology upon completion of the pump system.

All water wells constructed within the State shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

A well log of the completed well shall be submitted by the driller to the Department of Ecology within thirty (30) days of completion of this well. This well log shall be complete and all information concerning the static water level in the completed well in addition to any pump test data shall be submitted as it is obtained

Use of water under this authorization shall be contingent upon the water right holder's utilization of up to date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities

A certificate of water right will not be issued until a final examination is made.

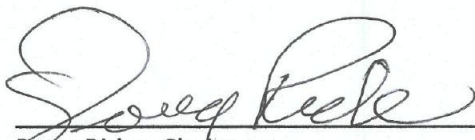
One of the wells associated with this change application, the Mountain View well #2 was historically used as a point of withdrawal. It is however, being used as an observation well to monitor the long-term water level of the aquifer. It is anticipated that this well will continue to function as a monitoring well for the foreseeable future. At such time in the future when the Mountain View well #2 is no longer needed as an observation well, the department shall notify the applicant that the Mountain View Well #2 is no longer being used as an observation well and the applicant agrees to properly decommission the well in accordance with Chapter 18.104 RCW and Chapter 173-160 WAC. Well #1 17825 N. Division Coordinates: 47 49.183N. 117 24.683W This well shall be de-commissioned in accordance with Chapter 18.104 RCW and Chapter 173-160 WAC.

#### *Construction Schedule*

Construction has begun and will be completed and in use by January 1, 2015

The undersigned board commissioner certifies that he/she understands the board is responsible "to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." [WAC 173-153-130(5)] The undersigned therefore, certifies that he/she, having reviewed the report of examination, knows and understands the content of this report and concurs with the report's conclusions.

Signed at Spokane Valley, Washington  
This 28th day of January, 2013

  
\_\_\_\_\_  
Doug Rider, Chairman  
Spokane County Water Conservancy Board

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*If you have special accommodation needs or require this form in alternate format, please contact 360-407-6607 (Voice) or 711 (TTY) or 1-800-833-6388 (TTY).*

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